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LOS ANGELES WATERKEEPER

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LOS ANGELES WATERKEEPER, a California non-profit corporation,

Plaintiff,
vs.

A AND A METAL RECYCLING, INC., a California corporation; SINDY CARDONA, an individual;

Defendants.

Civil Case No. 15-cv-04326 MWF-JEM

**DECLARATION OF DREVET HUNT
IN SUPPORT OF PLAINTIFF'S
REQUEST FOR ENTRY OF
DEFAULT JUDGMENT**

**(Federal Water Pollution Control Act,
33 U.S.C. §§ 1251 *et seq.*)**

1 1. I represent plaintiff Los Angeles Waterkeeper (“Waterkeeper” or “Plaintiff”)
2 and am a counsel of record in this action. I have personal knowledge of the matters stated
3 herein.

4 2. I am currently a member of the Bar of California and am admitted to
5 practice before the United States District Court for the Central District.

6 3. On March 9, 2015, Waterkeeper issued a sixty (60) day notice of intent to
7 sue (“Notice Letter”) to Sindy Cardona and A and A Metal Recycling, Inc. also known as
8 KSI Metals (collectively “Defendants”). The Notice Letter informed the Defendants of
9 their violations of the California General Permit for Discharges of Storm Water
10 Associated with Industrial Activities (*National Pollutant Discharge Elimination System*
11 (“NPDES”) *General Permit No. CAS000001, State Water Resources Control Board*
12 *Water Quality Order No. 92-12-DWQ, as amended by Order No. 97-03-DWQ*)
13 (hereinafter “Storm Water Permit”) and the Clean Water Act, 33 U.S.C. §§ 1251 *et seq.*
14 (“Clean Water Act” or “CWA”). The Notice Letter also informed Defendants of
15 Waterkeeper’s intent to file suit against them to enforce the Storm Water Permit and the
16 Clean Water Act.

17 4. On June 8, 2015, Plaintiff filed a complaint against Sindy Cardona and A
18 and A Metal Recycling, Inc. also known as KSI Metals in the United States District
19 Court, Central District of California.

20 5. Sindy Cardona and A and A Metal Recycling, Inc. were served on July 17,
21 2015, and were required to answer or otherwise respond to the complaint on or before
22 August 7, 2015.

23 6. This declaration is being made in connection with the foregoing request to
24 the Clerk to enter default against Sindy Cardona and A and A Metal Recycling, Inc.

25 7. On or about July 30, 2015, I spoke with Sindy Cardona to discuss the storm
26 water compliance issues at the Facility raised in the 60-day Notice Letter and the
27 complaint. At this meeting I suggested to Ms. Cardona that she and the other defendant
28 should retain legal counsel to represent them in this action. I also informed her that the

1 defendants are obligated to respond to the complaint in Court and that the deadline for
2 doing so had passed.

3 8. On August 14, 2015, I spoke with Sindy Cardona to discuss the complaint
4 filed against her, and the failure of any of the Defendants to timely respond to the
5 complaint. At this meeting I again suggested that Defendants retain legal counsel to
6 represent them in this action.

7 9. On August 31, 2015, I sent Ms. Cardona a letter to inform her that because
8 of her continuing failure to respond to the complaint regarding the storm water pollution
9 issues at the facility, Plaintiff would be requesting entry of default, and then a default
10 judgment. I once again suggested to Ms. Cardona that Defendants retain counsel, and of
11 the local rule 83-2.1.1.3 requiring corporations to appear only through an attorney.

12 10. As of the filing of the request for entry and this declaration, none of the
13 Defendants have filed a response to Plaintiff's complaint.

15 | Dated: August 31, 2015

Respectfully submitted,

LAWYERS FOR CLEAN WATER, INC.

/s/ Drevet Hunt

Drevet Hunt
Attorney for Plaintiff
Los Angeles Waterkeeper